

STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
RALEIGH, N.C.

C202465

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202465

WBS 45160.3.ST1 STM-0015(20)

T.I.P NO. R-5166A

COUNTY OF GRANVILLE  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER US 15 LENGTH 8.350 MILES  
LOCATION US-15 FROM PVT JOINT NORTH OF SR-1195 (INDUSTRY DR) TO  
SR-1132 (SANDERS RD).

CONTRACTOR S. T. WOOTEN CORPORATION  
ADDRESS P.O. BOX 2408  
WILSON, NC 278942408

BIDS OPENED DECEMBER 15, 2009  
CONTRACT EXECUTION JAN 19 2010

**S. T. Wooten Corporation (3760).**

**Vendor 3 of 5 Vendors for Call Order 011 (Proposal ID C20246S).**

County: GRANVILLE  
Address: PO Box 2408  
Wilson, NC 27894

Phone Number: 252-291-5165

Signature Check: This bid has been properly signed by Richard\_E.\_Vick\_3760.

Time Bid Received: Tue Dec 15 13:27:242009

Bid Checksum: 09198AD4

Amendment Count: 0

DBE GOAL SET **6.0**

Bidding Errors: This bid contains errors.

DBE GOAL OBT **3.1**

Bid Total: \$2,924,020.91 ✓

BondID: 1WME-F98W-YNV7-5SCF

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$146,201.05

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 12/15/2009

Surety Name: Safeco Insurance Company of America

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

LIST OF DBE PARTICIPANTS

| VENDOR NUMBER | DBE NAME ADDRESS  | WORK CODE TYPE OF WORK | CERT TYPE AMOUNT |                            |
|---------------|---|------------------------|------------------|----------------------------|
| 2446          | <b>WB</b> HAROLD A. PURYEAR TRUCKING CO.<br>5844 LEASE LANE ,RALEIGH, NC 27617          |                        | Sub 52,998.00    | ✓ arm                      |
| 3765          | <b>WB</b> STAY ALERT SAFETY SERVICES INC<br>POST OFFICE BOX 467 ,KERNERSVILLE, NC 27285 |                        | Sub 3,920.00     | ✓ arm                      |
| 1968          | <b>WB</b> MURRAY ENTERPRISES, INC.<br>1231 SHAMROCK DRIVE ,BURLINGTON, NC 27215         |                        | Sub 1,095.60     | ✓ arm                      |
| 12702         | <b>MB</b> NEHRENZ ENTERPRISES<br>7001 CEDRIC DRIVE ,RALEIGH, NC 27603                   |                        | Sub 16,310.00    | ✓ arm                      |
| 2095          | <b>WB</b> PARRISH CO INC<br>501 BETHLEHEM PIKE , PARIS, KY 40361                        |                        | Sub 16,919.72    | ✓ arm                      |
|               |   |                        | TOTAL:           | \$91,243.32 ✓ arm<br>3.12% |

Miscellaneous Data Info - Contractor Responses:

NON-COLLUSION AND DEBARMENT CERTIFICATION

Explanation of the prospective bidder that is unable to certify to any of the statements in this certification:

Explanation:  
 NOT ANSWERED  
 NOT ANSWERED  
 NOT ANSWERED  
 NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

| Contract Number | County |
|-----------------|--------|
| NOT ANSWERED    |        |

Bid Bond Data Info - Contractor Responses:

BondID: IWME-F98W-YNV7-5SCF  
 Surety Registry Agency: SurePathNetwork

NCDOT/berc

Vendor 3760's Load Output for Call 011, Letting L091215, 2009-12-15

Verified?: Yes

Surety Agency: Safeco Insurance Company of America

Bond Execution Date: 12/15/2009

Bond Amount: \$146,201.05 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 11-17-09  
Revised:

Contract ID: C202465 Project(s): STM-0015(20)  
Letting Date: 12-15-09 Call Order: 011  
Bidder: 3760 - S. T. Wooten Corporation

| Line No.                   | Item Description   | Approx. Quantity and Units | Unit Price  |             | Bid Amount |            |
|----------------------------|--|----------------------------|-------------|-------------|------------|------------|
|                            |  |                            | Dollars     | Cts         | Dollars    | Ct         |
| Section 0001 ROADWAY ITEMS |  |                            |             |             |            |            |
| Alt Group                  |  |                            |             |             |            |            |
| 0001                       | 0000100000-N MOBILIZATIO<br>N                                    | LUMP                       |             | LUMP        |            | 145,000.00 |
| 0002                       | 1220000000-E INCIDENTAL<br>STONE BASE                            | TON                        | 286.000     | 25.00000    |            | 7,150.00   |
| 0003                       | 1245000000-E SHOULDER<br>RECONSTRUCTION                          | SMI                        | 15.500      | 2,200.00000 |            | 34,100.00  |
| 0004                       | 1297000000-E MILLING<br>ASPHALT PAVEMENT,<br>***"DEPTH (2-1/2")  | SY                         | 113,474.000 | 1.13000     |            | 128,225.62 |
| 0005                       | 1297000000-E MILLING<br>ASPHALT PAVEMENT,<br>***"DEPTH (4")      | SY                         | 5,350.000   | 1.55000     |            | 8,292.50   |
| 0006                       | 1297000000-E MILLING<br>ASPHALT PAVEMENT,<br>***"DEPTH (5-1/2")  | SY                         | 19,388.000  | 2.25000     |            | 43,623.00  |
| 0007                       | 1330000000-E INCIDENTAL<br>MILLING                               | SY                         | 2,134.000   | 6.49000     |            | 13,849.66  |
| 0008                       | 1498000000-E ASPHALT<br>CONC INTERMEDIATE<br>COURSE, TYPE I19.0B | TON                        | 20,168.000  | 32.00000    |            | 645,376.00 |
| 0009                       | 1519000000-E ASPHALT<br>CONC SURFACE COURSE,<br>TYPE S9.5B       | TON                        | 24,349.000  | 34.00000    |            | 827,866.00 |
| 0010                       | 1560000000-E ASPHALT<br>BINDER FOR PLANT MIX,<br>GRADE PG 64-22  | TON                        | 2,409.000   | 343.00000   |            | 826,287.00 |
| 0011                       | 1704000000-E PATCHING<br>EXISTING PAVEMENT                       | TON                        | 1,050.000   | 100.00000   |            | 105,000.00 |

State of NC  
Dept of Transportation

Date: 11-17-09  
Revised:

Contract ID: C202465 Project(s): STM-0015(20)  
Letting Date: 12-15-09 Call Order: 011  
Bidder: 3760 - S. T. Wooten Corporation

| Line No. | Item Description   | Approx. Quantity and Units | Unit Price |     | Bid Amount |           |
|----------|--|----------------------------|------------|-----|------------|-----------|
|          |  |                            | Dollars    | Cts | Dollars    | Ct        |
| 0012     | 4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL          | LUMP                       | LUMP       |     |            | 13,500.00 |
| 0013     | 4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)   | 89,732.000<br>LF           | 0.30000    |     |            | 26,919.60 |
| 0014     | 4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)  | 69,969.000<br>LF           | 0.46000    |     |            | 32,185.74 |
| 0015     | 4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)   | 1,500.000<br>LF            | 1.50000    |     |            | 2,250.00  |
| 0016     | 4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)  | 250.000<br>LF              | 1.50000    |     |            | 375.00    |
| 0017     | 4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS) | 48.000<br>LF               | 10.00000   |     |            | 480.00    |
| 0018     | 4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)  | 32.000<br>EA               | 55.00000   |     |            | 1,760.00  |
| 0019     | 4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)      | 22.000<br>EA               | 75.00000   |     |            | 1,650.00  |
| 0020     | 4810000000-E PAINT PAVEMENT MARKING LINES (4")                     | 314,084.000<br>LF          | 0.08000    |     |            | 25,126.72 |
| 0021     | 4820000000-E PAINT PAVEMENT MARKING LINES (8")                     | 500.000<br>LF              | 0.25000    |     |            | 125.00    |
| 0022     | 4835000000-E PAINT PAVEMENT MARKING LINES (24")                    | 96.000<br>LF               | 3.00000    |     |            | 288.00    |

State of NC  
 Dept of Transportation

Date: 11-17-09  
 Revised:

Contract ID: C202465 Project(s): STM-0015(20)  
 Letting Date: 12-15-09 Call Order: 011  
 Bidder: 3760 - S. T. Wooten Corporation

| Line No.           | Item Description                                     | Approx. Quantity and Units | Unit Price  |     | Bid Amount |              |
|--------------------|--|----------------------------|-------------|-----|------------|--------------|
|                    |  |                            | Dollars     | Cts | Dollars    | Ct           |
| 0023               | 4840000000-N PAINT<br>PAVEMENT MARKING<br>CHARAC-TER | EA 16.000                  | 25.00000    |     | 400.00     |              |
| 0024               | 4845000000-N PAINT<br>PAVEMENT MARKING SYMBOL        | EA 32.000                  | 25.00000    |     | 800.00     |              |
| 0025               | 4905000000-N SNOWPLOWABL<br>E PAVEMENT MARKERS       | EA 741.000                 | 20.75000    |     | 15,375.75  |              |
| 0026               | 6084000000-E SEEDING &<br>MULCHING                   | ACR 12.190                 | 1,388.00000 |     | 16,919.72  |              |
| 0027               | 7444000000-E INDUCTIVE<br>LOOP SAWCUT                | LF 264.000                 | 4.15000     |     | 1,095.60   |              |
| Section 0001 Total |  |                            |             |     |            | 2,924,020.91 |
| Bid Total          |  |                            |             |     |            | 2,924,020.91 |

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

| Contract Number | County |
|-----------------|--------|
| NOT ANSWERED    |        |

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DBE COMMITMENT ITEMS

DATE: 11-17-09  
PAGE: 6

PROPOSAL: C202465  
LETTING: L091215 CALL: 011  
VENDOR: 3760 S. T. Wooten Corporation

| LINE NO.  | ITEM NO.     | ITEM DESC.  | UNIT TYPE | SUBCONTRACTOR QUANTITY | SUBCONTRACTOR UNIT PRICE | EXTENDED AMOUNT |           |       |
|---|--------------|---|-----------|------------------------|--------------------------|-----------------|-----------|-------|
| DBE SUBCONTRACTOR: 2446 HAROLD A. PURYEAR TRUCKING CO.<br>Will Use Quote: Yes |              |   |           |                        |                          |                 |           |       |
| 0010  | 1560000000-E | ASP FOR PLAN  | TON       | 2409.000               | 22.00000                 | 52998.00        | ✓ arm     |       |
|   |              | Hauling of Asphalt Liquid                             |           |                        |                          |                 |           |       |
|   |              | DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:               |           |                        |                          |                 | 52,998.00 | ✓ arm |
|   |              | DBE COMMITMENT TOTAL FOR VENDOR (SubContractor        |           |                        |                          |                 | 52,998    | ✓ arm |
| DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC<br>Will Use Quote: Yes |              |   |           |                        |                          |                 |           |       |
| 0012  | 4589000000-N | GENERIC TRAF  | LS        | 1.000                  | 3920.00000               | 3920.00         | ✓ arm     |       |
|   |              | Install, maintain and remove stationary signage       |           |                        |                          |                 |           |       |
|   |              | DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:               |           |                        |                          |                 | 3,920.00  | ✓ arm |
|   |              | DBE COMMITMENT TOTAL FOR VENDOR (SubContractor        |           |                        |                          |                 | 3,920.0   | ✓ arm |
| DBE SUBCONTRACTOR: 1968 MURRAY ENTERPRISES, INC.<br>Will Use Quote: Yes       |              |   |           |                        |                          |                 |           |       |
| 0027  | 7444000000-E | INDUCTIVE LO  | LF        | 264.000                | 4.15000                  | 1095.60         | ✓ arm     |       |
|   |              | DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:               |           |                        |                          |                 | 1,095.60  | ✓ arm |
|   |              | DBE COMMITMENT TOTAL FOR VENDOR (SubContractor        |           |                        |                          |                 | 1,095.6   | ✓ arm |
| DBE SUBCONTRACTOR: 12702 NEHRENZ ENTERPRISES<br>Will Use Quote: Yes           |              |   |           |                        |                          |                 |           |       |
| 0002  | 1220000000-E | INCIDENTAL S  | TON       | 286.000                | 5.00000                  | 1430.00         |           |       |
|   |              | Haul for ABC  |           |                        |                          |                 |           |       |
| 0003  | 1245000000-E | SHOULDER REC  | SMI       | 6.764                  | 2200.00000               | 14880.00        |           |       |
|   |              | Hauling of Borrow - 240 Hrs @ \$ 62.00/Hr = 14,880.00 |           |                        |                          |                 |           |       |
|   |              | DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:               |           |                        |                          |                 | 16,310.00 | ✓ arm |
|   |              | DBE COMMITMENT TOTAL FOR VENDOR (SubContractor        |           |                        |                          |                 | 16,310.   | ✓ arm |
| DBE SUBCONTRACTOR: 2095 PARRISH CO INC<br>Will Use Quote: Yes                 |              |   |           |                        |                          |                 |           |       |
| 0026  | 6084000000-E | SEEDING AND   | ACR       | 12.190                 | 1388.00000               | 16919.72        | ✓ arm     |       |
|   |              | DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:               |           |                        |                          |                 | 16,919.72 |       |
|   |              | DBE COMMITMENT TOTAL FOR VENDOR (SubContractor        |           |                        |                          |                 | 16,919.   |       |

TOTAL DBE COMMITMENT FOR VENDOR:

Entered: 3.12% or 91243.32 ✓ am  
Required: 6.00% or 175441.25  
<GOAL NOT MET>

## Contract Item Sheets For C202465

| Line #               | ItemNumber   | Sec # | Description  | Quantity Unit  | Unit Bid Price | Amount Bid |
|----------------------|--------------|-------|--|----------------|----------------|------------|
| <b>ROADWAY ITEMS</b> |              |       |  |                |                |            |
| 0001                 | 0000100000-N | 800   | MOBILIZATION   | Lump Sum<br>LS | 145,000.00     | 145,000.00 |
| 0002                 | 1220000000-E | 545   | INCIDENTAL STONE BASE                                  | 286<br>TON     | 25.00          | 7,150.00   |
| 0003                 | 1245000000-E | SP    | SHOULDER RECONSTRUCTION                                | 15.5<br>SMI    | 2,200.00       | 34,100.00  |
| 0004                 | 1297000000-E | 607   | MILLING ASPHALT PAVEMENT, ****<br>DEPTH<br>(2-1/2")    | 113,474<br>SY  | 1.13           | 128,225.62 |
| 0005                 | 1297000000-E | 607   | MILLING ASPHALT PAVEMENT, ****<br>DEPTH<br>(4")        | 5,350<br>SY    | 1.55           | 8,292.50   |
| 0006                 | 1297000000-E | 607   | MILLING ASPHALT PAVEMENT, ****<br>DEPTH<br>(5-1/2")    | 19,388<br>SY   | 2.25           | 43,623.00  |
| 0007                 | 1330000000-E | 607   | INCIDENTAL MILLING                                     | 2,134<br>SY    | 6.49           | 13,849.66  |
| 0008                 | 1498000000-E | 610   | ASPHALT CONC INTERMEDIATE<br>COURSE, TYPE I19.0B       | 20,168<br>TON  | 32.00          | 645,376.00 |
| 0009                 | 1519000000-E | 610   | ASPHALT CONC SURFACE COURSE,<br>TYPE S9.5B             | 24,349<br>TON  | 34.00          | 827,866.00 |
| 0010                 | 1560000000-E | 620   | ASPHALT BINDER FOR PLANT MIX,<br>GRADE PG 64-22        | 2,409<br>TON   | 343.00         | 826,287.00 |
| 0011                 | 1704000000-E | SP    | PATCHING EXISTING PAVEMENT                             | 1,050<br>TON   | 100.00         | 105,000.00 |
| 0012                 | 4589000000-N | SP    | GENERIC TRAFFIC CONTROL ITEM<br>TRAFFIC CONTROL        | Lump Sum<br>LS | 13,500.00      | 13,500.00  |
| 0013                 | 4685000000-E | 1205  | THERMOPLASTIC PAVEMENT MARKING<br>LINES (4", 90 MILS)  | 89,732<br>LF   | 0.30           | 26,919.60  |
| 0014                 | 4686000000-E | 1205  | THERMOPLASTIC PAVEMENT MARKING<br>LINES (4", 120 MILS) | 69,969<br>LF   | 0.46           | 32,185.74  |
| 0015                 | 4695000000-E | 1205  | THERMOPLASTIC PAVEMENT MARKING<br>LINES (8", 90 MILS)  | 1,500<br>LF    | 1.50           | 2,250.00   |
| 0016                 | 4697000000-E | 1205  | THERMOPLASTIC PAVEMENT MARKING<br>LINES (8", 120 MILS) | 250<br>LF      | 1.50           | 375.00     |

## Contract Item Sheets For C202465

| Line # | ItemNumber   | Sec # | Description  | Quantity Unit | Unit Bid Price | Amount Bid |
|--------|--------------|-------|--|---------------|----------------|------------|
| 0017   | 4710000000-E | 1205  | THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS) | 48 LF         | 10.00          | 480.00     |
| 0018   | 4721000000-E | 1205  | THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)  | 32 EA         | 55.00          | 1,760.00   |
| 0019   | 4725000000-E | 1205  | THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)      | 22 EA         | 75.00          | 1,650.00   |
| 0020   | 4810000000-E | 1205  | PAINT PAVEMENT MARKING LINES (4")                    | 314,084 LF    | 0.08           | 25,126.72  |
| 0021   | 4820000000-E | 1205  | PAINT PAVEMENT MARKING LINES (8")                    | 500 LF        | 0.25           | 125.00     |
| 0022   | 4835000000-E | 1205  | PAINT PAVEMENT MARKING LINES (24")                   | 96 LF         | 3.00           | 288.00     |
| 0023   | 4840000000-N | 1205  | PAINT PAVEMENT MARKING CHARACTER                     | 16 EA         | 25.00          | 400.00     |
| 0024   | 4845000000-N | 1205  | PAINT PAVEMENT MARKING SYMBOL                        | 32 EA         | 25.00          | 800.00     |
| 0025   | 4905000000-N | 1253  | SNOWPLOWABLE PAVEMENT MARKERS                        | 741 EA        | 20.75          | 15,375.75  |
| 0026   | 6084000000-E | 1660  | SEEDING & MULCHING                                   | 12.19 ACR     | 1,388.00       | 16,919.72  |
| 0027   | 7444000000-E | 1725  | INDUCTIVE LOOP SAWCUT                                | 264 LF        | 4.15           | 1,095.60   |

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$2,924,020.91 ✓

Contract Number C202465  
County GRANVILLE

Rev 7-20-08

**EXECUTION OF CONTRACT  
NON-COLLUSION AFFIDAVIT AND DEBARMENT CERTIFICATION  
CORPORATION**

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this Contract, and that the Contractor intends to do the work with his own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

By submitting this Execution of Contract, Non-Collusion affidavit and Debarment Certification, the Contractor is certifying his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

**SIGNATURE OF CONTRACTOR**

S. T. WOOTEN CORPORATION

\_\_\_\_\_  
Full name of Corporation

P. O. BOX 2408, WILSON, NORTH CAROLINA 27894

\_\_\_\_\_  
Address as Prequalified

Attest   
Secretary/Assistant Secretary  
Select appropriate title

W. READE DAWSON

\_\_\_\_\_  
Print or type Signer's name

By   
President/Vice President/Assistant Vice President  
Select appropriate title

CHRISTOPHER T. WOOTEN

\_\_\_\_\_  
Print or type Signer's name

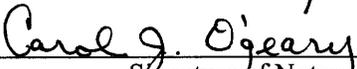
**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

6<sup>th</sup> day of JANUARY 2010.

  
Signature of Notary Public

of Pitt County

State of North Carolina

My Commission Expires: 3/3/2010

## DEBARMENT CERTIFICATION OF CONTRACTOR

### Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

### DEBARMENT CERTIFICATION

The Contractor certifies to the best of his knowledge and belief, that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- e. If status changes, will submit a revised Debarment Certification immediately.

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

Contract No C202465

County (ies): Granville

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

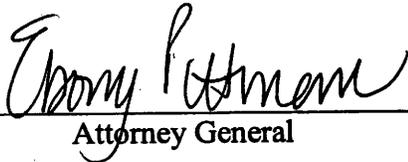


\_\_\_\_\_  
Contract Officer

1/19/10

\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:

  
\_\_\_\_\_  
Attorney General

Contract No. C202465  
County GRANVILLE

**CONTRACT PAYMENT BOND**

Date of Payment Bond Execution January 11, 2010

Name of Principal Contractor S. T. Wooten Corporation

Name of Surety: Safeco Insurance Co. of America  
2359 Perimeter Pointe Parkway, Suite 160  
Charlotte, NC 28208

Name of Contracting Body: **North Carolina Department of Transportation**  
**Raleigh, North Carolina**

Amount of Bond: \$2,924,020.91

Contract ID No.: C202465

County Name: GRANVILLE

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall promptly make payment to all persons supplying labor and material in the prosecution of the work provided for in said contract, and any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Contract No. C202465  
County GRANVILLE

**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

Safeco Insurance Co. of America  
Print or type Surety Company Name

By Debra S. Ritter  
Print, stamp or type name of Attorney-in-Fact

Debra S. Ritter  
Signature of Attorney-in-Fact

  
Signature of Witness

Ramona Fewell  
Print or type Witness' Name

Thomas Rutherford, Inc.  
6230 Fairview Road Suite 230  
Charlotte, NC 28210  
Address of Attorney-in-Fact

Contract No. C202465  
County GRANVILLE

**CONTRACT PAYMENT BOND**

**CORPORATION**

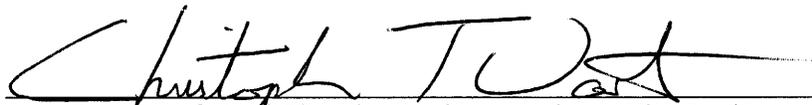
SIGNATURE OF CONTRACTOR (Principal)

S. T. Wooten Corporation

Full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408

Address as prequalified

By:   
Signature of ~~President, Vice President, Assistant Vice President~~  
Select appropriate title

CHRISTOPHER T. WOOTEN

Print or type Signer's name

*Affix Corporate Seal*

Attest   
Signature of ~~Secretary, Assistant Secretary~~  
Select appropriate title

W. READE DAWSON

Print or type Signer's name

Contract No. C202465  
County GRANVILLE

**CONTRACT PERFORMANCE BOND**

Date of Payment Bond Execution: January 11, 2010  
Name of Principal Contractor: S. T. Wooten Corporation  
Name of Surety: Safeco Insurance Co. of America  
2359 Perimeter Pointe Parkway, Suite 160  
Charlotte, NC 28208  
Name of Contracting Body: **North Carolina Department of Transportation**  
**Raleigh, North Carolina**  
Amount of Bond: \$2,924,020.91  
Contract ID No.: C202465  
County Name: GRANVILLE

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said Contract and any extensions thereof that may be granted by the Contracting Body, with or without notice to the Surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by it undersigned representative, pursuant to authority of its governing body.

Contract No. C202465  
County GRANVILLE

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

Safeco Insurance Co. of America  
Print or type Surety Company Name

By Debra S. Ritter  
Print, stamp or type name of Attorney-in-Fact

Debra S. Ritter  
Signature of Attorney-in-Fact

Ramona Fewell  
Signature of witness

Ramona Fewell  
Print or type Witness' Name

Thomas Rutherford, Inc.  
6230 Fairview Road Suite 230  
Charlotte, NC 28210  
Address of Attorney-in-Fact

Contract No. C202465  
County GRANVILLE

**CONTRACT PERFORMANCE BOND**  
**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

S. T. Wooten Corporation

Full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408

Address as prequalified

By:   
Signature of ~~President~~, Vice President, ~~Assistant Vice President~~  
Select appropriate title

CHRISTOPHER T. WOOTEN

Print or type Signer's name

*Affix Corporate Seal*

Attest   
Signature of ~~Secretary~~, Assistant Secretary  
Select appropriate title

W. READE DAWSON

Print or type Signer's name



POWER OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 12642

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

\*\*\*\*\*RAMONA FEWELL; RAYMOND J. GARRUTO; BRAD W. GIBSON; MARTIN D. PALLAZZA; DEBRA S. RITTER; ANGELA M. YOUNT; Charlotte, North Carolina\*\*\*\*\*

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 21st day of March, 2009

Dexter R. Legg (handwritten signature)

T. Mikolajewski (handwritten signature)

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Dexter R. Legg, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 11th day of January, 2010



Dexter R. Legg (handwritten signature)

Dexter R. Legg, Secretary